IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 5022 of 2005

Between:

1 V. Venkateswarlu S/o. China Gangaiah
R/o. H.No. 41/297/2A, Peeragutta NTR Colony,

Wanaparthy, Mahaboobnagar District.
2 B. Venkata Rami Reddy S/o. Janardhan Reddy,
R/o. H.No. 44-161/4, Bramamgari Veddhi, Wanaparthy,

Mahaboobnagar District.

..... PETITIONERS

AND

1 The Regional Manager, APSRTC, Mahaboobnagar Region,

Mahaboobnagar District.
2 The Depot Manager, APSRTC, Narayanpet Bus Depot,

Mahaboobnagar District.
3 The Depot Manager, APSRTC, Nagarkurnool Bus Depot,

Mahaboobnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not granting the Special Grade/Stagnation Increment to the petitioners with effect from their completion of 12 years of service in A.P.S.R.T.C. is arbitrary, illegal, unjust and contrary to the Circulars and consequently direct the respondents to effect the 12 years Stagnation Increment/Special Grade to the petitioners on their completion of 12 years of service in the present region of the Corporation and pass such further other order or orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.

Counsel for the Petitioner: MR.G.RAVI MOHAN
Counsel for the Respondent Nos.1 to 3: MR.P.VINAYAKA SWAMY

The Court at the admission stage made the following:

ORDER:

Heard both sides and at their request, the writ petition is taken up for disposal at the stage of admission.

The grievance of the writ petitioners is that the respondent Corporation is not giving the Special Grade/Stagnation increment to them with effect from their completion of 12 years of service in the Corporation.

The purport of the decision reported by this Court in W.A.No.1301 of 2000, dated 29.10.2002 is that the entire service of the petitioners in the Corporation has to be taken into consideration for the purpose of giving the benefit of stagnation increment. Certain guidelines have been framed by the respondent Corporation, more particularly, in Circular No.PD 65/1989, dated 03.05.1989, for grant of stagnation increments. Therefore, it is for the respondent Corporation to decide the matter whether the petitioners are entitled for the stagnation increments in pursuance of the aforesaid circular order.

Therefore, a direction is given to the respondent Corporation to give the Special Grade/Stagnation increment, as per the rules, taking into account the petitioners' total service of 12 years in the Corporation.

The Writ Petition is, accordingly, disposed of. No order as to costs.

Dated: 14.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Regional Manager, APSRTC,

Mahaboobnagar Region, Mahaboobnagar District

2. The Depot Manager, APSRTC,

Narayanpet Bus Depot, Mahaboobnagar District

3. The Depot Manager, APSRTC,

Nagarkurnool Bus Depot, Mahaboobnagar District

4. Two CD copies

*Form-NIC-OGS/WP{**VSMI**}*